

SANZ MOLINERO  
Appl. No. 10/553,656  
Atty. Dkt. 4982-13  
Amendment After Final Rejection  
Monday, December 22, 2008

**AMENDMENTS TO THE CLAIMS:**

Please amend the claims as follows:

1. (Currently Amended) Method for increasing plant seed yield, comprising transforming a plant with introducing and expressing an isolated nucleic acid encoding a metallothionein protein in said plant and selecting for increased expression in said plant of [[a]]the nucleic acid compared to plants of the same species lacking [[said]]a genetic modification as an indication of a plant with increased yield,

wherein said nucleic acid is selected from the group consisting of

- (i) the nucleic acid sequence of SEQ ID NO: 1;
- (ii) a nucleic acid sequence encoding protein of SEQ ID NO:2; and
- (iii) a nucleic acid sequence encoding a metallothionein protein which is at least 95% identical to SEQ ID NO: 2.

Claim 2. (Canceled)

3. (Currently Amended) Method according to claim [[2]]1, wherein said increased seed yield comprises increased total number of seeds and/or increased total weight of seeds, when compared to plants of the same species lacking said genetic modification.

4. (Currently Amended) Method according to Claim [[2]]1, wherein said increased seed yield further comprises an increase in biomass.

Claim 5. (Canceled)

6. (Previously Presented) Method according to Claim 1, wherein said nucleic acid encoding a metallothionein protein encodes a type 2 metallothionein.

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7. (Previously Presented) Method according to claim 6, wherein said nucleic acid is derived from a plant.

Claim 8. (Canceled)

9. (Currently Amended) Method according to any one of Claims 1,6 or [[5 to ]]7, wherein expression of said nucleic acid encoding a metallothionein is driven by a constitutive promoter.

10. (Previously Presented) Plants obtainable by a method according to Claim 1.

Claims 11-24. (Canceled)

25. (Currently Amended) Method for increasing plant seed yield, comprising transforming a plant with introducing and expressing an isolated nucleic acid encoding a metallothionein protein in said plant and selecting for increased plant seed yield compared to plants of the same species lacking [[said]]a genetic modification.

Claim 26. (Canceled)

27. (Currently Amended) Method according to claim [[26]]25, wherein said increased yield comprises increased total number of seeds and/or increased total weight of seeds, when compared to plants of the same species lacking said genetic modification

28. (Currently Amended) Method according to Claim [[26]]25, wherein said increased yield further comprises an increase in biomass.

Claim 29. (Canceled)

30. (Previously Presented) Method according to Claim 25, wherein said nucleic acid encoding a metallothionein protein encodes a type 2 metallothionein.

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31. (Previously Presented) Method according to claim 30, wherein said nucleic acid is derived from a plant.

32. (Previously Presented) Method according to Claim 25, wherein said nucleic acid is selected from the group consisting of

- (i) the nucleic acid sequence of SEQ ID NO: 1;
- (ii) a nucleic acid sequence encoding protein of SEQ ID NO:2; and
- (iii) a nucleic acid sequence encoding a metallothionein protein which is at least 95% identical to SEQ ID NO: 2.

33. (Currently Amended) Method according to any one of Claims [[29]]30 to 32, wherein expression of said nucleic acid encoding a metallothionein is driven by a constitutive promoter.

34. (Previously Presented) Plants obtainable by a method according to Claim 25.